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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,682	11/14/2000	Shinichiro Mori	FUJS-17.933	3754
26304	7590	08/25/2004	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			SOBUTKA, PHILIP	
			ART UNIT	PAPER NUMBER
			2684	8

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/712,682

Applicant(s)

MORI ET AL.

Examiner

Philip J. Sobulka

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Claim Rejections - 35 USC § 103**

1. Claims 1,5,6,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beaton (US 6,608,637) in view of Shachar (US 5,923,736).

Consider claim 1. Beaton teaches a mobile terminal comprising: a memory for storing data with a telephone number attached (Beaton see especially col 4, lines 18-22); a display for the data stored in the memory (Beaton see especially col 4, lines 40-44); a section for detecting that a call operation to a terminal identified by the telephone number attached to the data being displayed (Beaton see especially col 4, lines 5-60); a call control section, for executing the call to the telephone number (Beaton see especially col 4, lines 62-65); and a display control section for controlling the data display section to display the data after the call section starts executing the calling process (Beaton col 6, lines 8-18, figs 8A-8E, col 6, line 58 – col 7, line 20). Beaton lacks a teaching of displaying the telephone number as a hyperlink, which is used to execute the calling of the hyperlinked number. Shachar teaches a telephone device using displaying telephone numbers as hyperlinks, which are used to execute calling of the linked numbers (Shachar see especially col 9, lines 35-55). It would have been obvious to one of ordinary skill in the art to modify Beaton to display the numbers as executable hyperlinks as taught by Shachar in order to make it easier for the user to execute dialing while navigating through the display.

As to claim 6, Beaton as applied to claim 1 above would perform the claimed steps.

As to claim 5, Beaton teaches everything as shown in reference to claim 1 above including a combination display in which the data is displayed along with the calling out state in combination (Beaton see especially fig 8C).

As to claim 10, Beaton as applied to claim 5 above would perform the claimed steps.

2. Claims 2-4,7-9, are rejected under 35 U.S.C. 103(a) as being unpatentable over Beaton in view of Shachar and in view of Schnarel (US 6, 389,124).

Consider claims 2,3, 7,8, Beaton in view of Shachar teaches everything claimed as shown above except for the display section being equipped with redisplay control responsive to the start of the calling process for controlling the data display section to display a call out state and then re-display the data. Schnarel teaches a graphical user interface for a telephone that expands status information when executing actions such as calling out, then re-displays the original data by collapsing the expanded status display (Schnarel see especially col 2, lines 20-60). Schnarel teaches that this automatic display change better allows the user to select the appropriate function for the phone's current status (Schnarel see especially col 2, lines 38-52). It would have been obvious to one of ordinary skill in the art to modify Beaton in view of Shachar to use the altering display of Schnarel in order to better allow the user to select the appropriate function for the phone's current status

As to claims 4,9, Note that the device of Beaton in view of Shachar and in view of Schnarel as modified above, teaches the redisplaying is performed in response to a

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change to a voice communication state after displaying the call out state (Schnarel see especially col 6, lines 33-40).

### **Response to Arguments**

3. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

4. Regarding the argument that Schnarel's landline display fails to teach monitoring of the mobile call state of the primary reference, it should be noted that monitoring the call out process in a mobile would clearly be analogous to monitoring the line state in a landline. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

### **Conclusion**

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Sobutka whose telephone number is 703-305-4825. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip Sobutka  
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August 19, 2004

*Quochien B. Vuong* 8/21/04

**QUOCHIEN B. VUONG**  
**PRIMARY EXAMINER**